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Patent Application
Attorney Docket No. A0592Q-US-NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Santokh S. Badesha, et al.

Application No.: 09/737,413

Filed: December 14, 2000

Examiner: Lawrence D. Ferguson

Art Unit: 1774

Title: Transfix Component Having Mica-Type
Silicate Outer Layer

Mail Stop Appeal Brief -Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

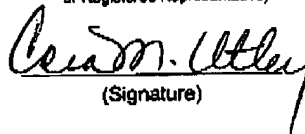
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Cora M. Utley
(Name of Appellant, assignee,
or Registered Representative)


(Signature)

February 14, 2006

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REPLY BRIEF

With reference to the Examiner's Supplemental Answer dated December 23, 2005, Appellants continue to be of the positions as detailed in the Appeal Brief filed January 12, 2004, and the Reply Brief filed July 19, 2004.

Appellants respectfully request that the Board carefully review the teachings of the art. Appellants and the Examiner disagree on the correct interpretation of several sections of the cited art.

Appellants respectfully submit that the combination does not teach the three-member transfer apparatus comprising 1) a transfer component, 2) an intermediate transfer component, and 3) a transfix component. Therefore, a *prima facie* case of obviousness has not been made. In addition, Appellants submit that one of ordinary skill would not have been motivated to use the outer fuser member of Badesha, et al '643 as an outer layer of the transfix member of Swift, et al.

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Badesha, et al. '643 in view of Swift, et al.

Badesha, et al. '643 does not teach a transfer member, an intermediate transfer member, or a transfix member. Appellants respectfully ask the Board to carefully read the teachings of Badesha, et al. '643 at col. 3, lines 44-45:

“an intermediate support *layer* in a fuser member.” (emphasis added)

Appellants respectfully submit that this is not a teaching of an intermediate transfer member or component as suggested by the Examiner. Instead, this is a teaching of an intermediate layer in a fuser member, and is not an intermediate transfer member. Badesha, et al. '643, discloses a fuser member having three layers, including 1) a substrate, 2) intermediate layer, and 3) an outer layer (col. 3, lines 44-45; col. 4, lines 31-32 and lines 38-42). Therefore, the reference does not teach an intermediate transfer member as argued by the Examiner.

In addition, Appellants respectfully request that the Board note the specific teachings of Badesha, et al. '643 at col. 1, lines 16-48:

1) exposing a light image (col. 1, lines 23-24), 2) developing the image (col. 1, line 34), and 3) transferring to a support surface for fusing (col. 1, lines 42-43).

Appellants respectfully submit that this is not a teaching of a transfer member or intermediate transfer member. This is merely a teaching of a method of transfer, followed by fusing a developed image. There are many methods and means of transfer in the electrostatographic arts, and they cannot be said to be equivalents, or suggest the 3-transfer member apparatus as claimed.

In addition, Appellants respectfully request that the Board note the specific teachings of Swift, et al at col. 4, lines 39-52:

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" . . . a transfer station includes an intermediate transfer belt that receives toner from latent image and transfers that toner to the fuser or transfix component."

Appellants respectfully submit that Swift, et al. does not teach a transfer member in combination with a transfix and intermediate transfer member, and is not a teaching that a fuser and transfix member are interchangeable as argued by the Examiner. Appellants have pointed out the unique differences between fuser and transfix members. In general, a fuser member fuses a toner image to a copy substrate, and does not participate in any way in transfer of the developed image. The fuser member never holds the developed image. On the other hand, a transfix member transfers the image and fuses the image to a copy substrate. Therefore, the transfer member must hold the developed image for transfer. Transfer members and fuser members perform different functions, and require different mechanical, electrical, chemical and other properties for the coatings so that they can perform the diverse functions.

Therefore, Appellants submit that there is no teaching or suggestion of the three-member transfer apparatus as claimed. Appellants respectfully submit that one of ordinary skill in the art would not have been motivated to use the outer layer of Badesha, et al.'s fuser member, as an outer layer of the Swift, et al. transfix member, and then combine the transfix member and intermediate transfer member of Swift, et al., with another transfer member as claimed, to complete the 3-member transfer apparatus as claimed, especially in view of the unique differences between fuser members and transfix members.

Badesha, et al. '643 in view of Badesha, et al. '504

Regarding the second rejection, Appellants again point out that Badesha, et al. does not teach an intermediate transfer member, but instead teaches an intermediate layer in the fuser member, which includes a substrate, intermediate layer, and outer layer. This is argued above.

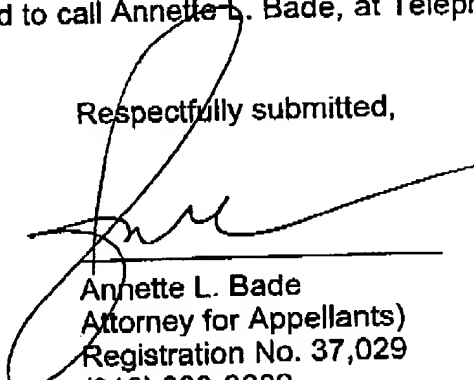
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Appellants again point out that a transfix member and a fuser member are not functional equivalents as set forth in the earlier filed Reply Brief, and above.

Therefore, Appellants again submit that one of ordinary skill in the art would not have been motivated to substitute the silicate outer fusing layer of Badesha, et al. '643 for the outer transfix layer of Badesha, et al. '564, especially in view of the unique differences between fuser and transfix members.

In the event the Examiner considers personal contact advantageous to the disposition of this case, s/he is hereby authorized to call Annette L. Bade, at Telephone Number 310-333-3682, El Segundo, California.

Respectfully submitted,



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